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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/680,418	10/08/2003	Chang-hee Lee	1349.1253	9220
21171	7590	10/02/2007		
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER VILLECCO, JOHN M	
			ART UNIT 2622	PAPER NUMBER
			MAIL DATE 10/02/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/680,418

Applicant(s)

LEE ET AL.

Examiner

John M. Villecco

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-50 is/are allowed.
- 6) ☒ Claim(s) 51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. The prosecution of this application has been transferred to Examiner John M. Villecco from the docket of Examiner Scott Egan. Any inquiry concerning this Office Action or earlier communications should be directed to the current Examiner of record. Current contact information is provided in the last section of this communication.

Response to Arguments

2. Applicant has amended claims 1-50 to overcome the prior art of record. Accordingly, the art rejections of claims 1-50 presented in the previous office action have been withdrawn.

3. Applicant has introduced new claim 51. However this claim does not appear to overcome the prior art of record. Specifically, applicant states that the language of claim 51 overcomes the Shibata reference. The examiner respectfully disagrees. Applicant argues that the different modes in Shibata are not different photographing modes. However, the claim merely requires that the “mode sensing unit sense a photographic mode”, “a control unit to select the photographic mode according to a signal transferred from the mode sensing unit”, and that the “photographic mode sensed by the mode sensing unit is determined according to the rotated angle of the camera unit”. Thus, it is the Examiner’s position that based upon the claim language the photographic mode does not have to be selected from a plurality of photographic modes. It is enough that the camera device sensing a photographing mode and operate the camera unit in a photographic mode. Shibata meets this limitation in that the detected rotation angle of

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the photographing device determines the mode into which the camera is placed. See Figure 14. Therefore, it is the position of the examiner that Shibata meets the claim limitations of claim 51. Please see the new grounds of rejection for claim 51 below.

Specification

4. The amended title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shibata et al. (U.S. Patent No. 7,084,919).**

Regarding *claim 51*, An image photographing apparatus (portable terminal, figures 1-12), comprising: a body (figures 1-12 show the body of the phone), on which a recording medium is removably mounted (storing unit 53, column 14, lines 43-47); a camera unit installed in the body and provided with a plurality of camera sections having pixel numbers and independently driven (column 10, lines 4-10, axial unit 30 and flip unit 20); a mode sensing unit to sense a photographic mode to correspond to at least one of the camera sections (axial unit state sensor 55, column 13, lines 22-26); a control unit to select a photographic mode according to a signal transferred from the mode sensing

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unit and to drive the camera unit to correspond to the selected photographic mode (control unit 51, figure 13); a display unit provided in the body to show an image photographed by the at least one camera section (panel monitor 21, column 11 lines 4-11), wherein the camera unit is installed in the body to be rotatable in relation to the body (the flip unit 20 is rotatable as seen in figure 1), and the photographic mode sensed by the mode sensing unit is determined according to a rotated angle of the camera unit (column 13, lines 48-56). It is the Examiner's position that based upon the claim language the photographic mode does not have to be selected from a plurality of photographic modes. It is enough that the camera device sensing a photographing mode and operate the camera unit in a photographic mode. Shibata meets this limitation in that the detected rotation angle of the photographing device determines the mode into which the camera is placed. See Figure 14.

However, Shibata et al. does not explicitly teach the use of a cassette. Official Notice is taken that cassette tapes have been widely used to store still and video image data. Since a cassette tape is an obvious variant of a recording medium taught in Shibata et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a cassette tape to record still and video data as desired by the user.

Allowable Subject Matter

7. Claims 1-50 are allowed.
8. The following is an examiner's statement of reasons for allowance:

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Regarding claim 1, the primary reason for allowance is that the prior art fails to teach or reasonably suggest that the camera unit comprises a housing to receive the camera sections to be oppositely directed on a same line.

As for claim 5, the primary reason for allowance is that the prior art fails to teach or reasonably suggest a first camera section used a digital still camera and a second camera section used as a digital video camera, wherein the first and second camera sections are located so that photographing directions thereof are opposite to each other.

With regard to claim 9, the primary reason for allowance is that the prior art fails to teach or reasonably suggest that the hinge section comprises a first hollow shaft member rotatably installed in a bore provided in the housing, and a second hollow shaft member assembled to be rotatable in relation to the first shaft member and secured to the bore.

Regarding claim 32, the primary reason for allowance is that the prior art fails to teach or reasonably suggest that the camera unit comprises a housing to receive the camera sections to be oppositely directed on a same line, wherein the first camera section is used a digital still camera and the second camera section is used to photograph moving images.

As for claim 39, the primary reason for allowance is that the prior art fails to teach or reasonably suggest that the bottom of the battery section is provided with a pair of power terminals electrically connected to the battery, the locking release section and the power terminals are spaced from each other in opposite directions in the battery mount section, the detaching unit is provided on the bottom of the battery mount section and positioned more adjacent to the locking release unit than to the power terminals

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With regard to claim 40, the primary reason for allowance is that the prior art fails to teach or reasonably suggest that the battery mount section is concavely formed on an outside of the housing to be offset about a rotational center of the housing.

Regarding claim 42, the primary reason for allowance is that the prior art fails to teach or reasonably suggest that the housing has a curved surface in at least on end thereof formed to have a center of curvature identical to a center of curvature identical to the concavely curved surface of the battery mount section.

As for claim 44, the primary reason for allowance is that the prior art fails to teach or reasonably suggest that the camera unit comprises a housing to receive the first and second camera sections to be oppositely oriented with reference to the rotational axis.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Villecco whose telephone number is (571) 272-7319. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



John M. Villecco
Primary Examiner, Art Unit 2622

9/18/07